



# THE ERIE COUNTY LEGISLATURE

Session No. 5

March 2, 2006

Lynn M. Marinelli  
*Chairman*

Maria R. Whyte  
*Majority Leader*

Barry A. Weinstein  
*Minority Leader*

Kevin M. Kelley  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Mr. Ranzenhofer

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PLEDGE OF ALLEGIANCE – Mr. Kozub

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## TABLED ITEMS

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ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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MINUTES OF PREVIOUS MEETING

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PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS

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KOZUB	In Memory of Thomas J. Heckt
REYNOLDS	Honoring Boston Town Clerk David Shenk for Being Chosen Town of Boston 2006 Democrat of the Year
KENNEDY	In Memory of Buffalo Firefighter Donald J. Herbert
MAZUR	Honoring the Cheektowaga Times Upon Their 60th Anniversary
KONST	Honoring Sam Junkin, A Student from Iroquois Central School District, Upon Receiving a Racing Scholarship at the 2006 WKA Karfest Tradeshow in Hickory, North Carolina
HOLT & SMITH	In Memory of Pearl Washington
SMITH & HOLT	Honoring the 2006 Alpha Kappa Alpha Inc. Xi-Epsilon Omega Chapter Founders Day Award Winners
KENNEDY	Honoring Former NYS Assemblyman Richard Keane Upon Being Named 2006 Irish-American of the Year by the NYS Irish American Legislator Society
KENNEDY & MAZUR	Recognizing the Statue of General Casimer Pulaski

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## LOCAL LAWS

## REFERENCE

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LL INT 7-1 3/30/2005	SMITH	The Local Law To Retain Jobs in NYS	
LL INT 12-1 10/19/2005	MARINELLI	A LL Amending the EC Charter & EC Administrative Code as Amended, in Relation to the Titles and Positions of Deputy Commissioner and Deputy Director	Government Affairs

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**COMMITTEE REPORTS**

REPORT NO. 4	GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 4	ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 4	FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 2	HUMAN SERVICES COMMITTEE
REPORT NO. 3	PUBLIC SAFETY COMMITTEE
REPORT NO. 4	ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 4	COMMUNITY ENRICHMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

INTRO 5-1	RANZENHOFER, WEINSTEIN & MILLS	Resolution in Support of Review of the "Taylor Law"
INTRO 5-2	WEINSTEIN, MILLS & RANZENHOFER	Federal Deductions for Health and Long Term Care Insurance Premiums
INTRO 5-3	MARINELLI	2006 Legislature Budget Technical Amendments
INTRO 5-4	KONST, LOCKLEAR, LOUGHRAN, IANNELLO & THE MINORITY CAUCUS	A.04983 and S.4419
INTRO 5-5	IANNELLO, LOCKLEAR & KONST	Growing Rodent Problem Jeopardizing Health of First Tier Communities
INTRO 5-6	KONST, LOCKLEAR, IANNELLO, MILLS & WEINSTEIN	Review of Highway/Bridge Engineer Contract
INTRO 5-7	KONST, LOCKLEAR, IANNELLO, LOUGHRAN, & THE MINORITY CAUCUS	Verify NY Initiative
INTRO 5-8	MINORITY CAUCUS	Resolution Regarding Allocation of Sales Tax Revenue
INTRO 5-9	KENNEDY	Eliminating Rented Office Space by Swapping Other Vacant Office Space
INTRO 5-10	KENNEDY & REYNOLDS	Supporting Increased Hydropower Allocation for the Delphi Corporation
INTRO 5-11	MARINELLI, WHYTE, KOZUB, KONST, SMITH, LOCKLEAR, IANNELLO & LOUGHRAN	In Support for Allowing Erie County Flexibility in Providing Medicaid Services

INTRO 5-12	IANNELLO, MARINELLI, WHYTE, KOZUB, KONST, REYNOLDS, SMITH, KENNEDY, LOCKLEAR, REYNOLDS & LOUGHRAN	State Funding for Cultural Groups
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INTRO 5-13	SMITH	Establishing an Educational Wrap- Around Initiative for Recipients of Social Services
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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

<b><u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u></b>			<b><u>REFERENCE</u></b>
COMM. 5E-1	COUNTY EXECUTIVE	Copy of Text from State of the County - "The Road Home"	Government Affairs
COMM. 5E-2	COMPTROLLER	Use of HEAP Employees at State of the County	Human Services
COMM. 5E-3	COUNTY EXECUTIVE	Appointment to Erie County Charter Revision Commission	RFP
COMM. 5E-4	COUNTY EXECUTIVE	Designation Pursuant to Erie County Charter Section 304	RFP
COMM. 5E-5	WHYTE	Legislative District Office	
COMM. 5E-6	COMPTROLLER	Text of a Statement Prepared for Public Hearing on HAVA	Government Affairs
COMM. 5E-7	COUNTY EXECUTIVE	Appointment to Erie County Task Force on Revenue & Regional Cost Sharing	RFP
COMM. 5E-8	MARINELLI	Fee Increases	R&F
COMM. 5E-9	MARINELLI	2006 Budget Monitoring; 2007 Budget Assumptions; Review of Cost Centers	Finance & Management
COMM. 5E-10	COMPTROLLER	Bond Reso - Authorizing the Payment of a Judgment Against EC In Case of ECMCC vs. EC	
COMM. 5E-11	MARINELLI	Copy of Letter to Charter Revision Commission Chair Re: Requesting Commission Provide Comprehensive Set of Final Reform Recommendations	R&F
COMM. 5E-12	MARINELLI	Appointments to Erie County Task Force on Revenue Sharing & Regional Cost Sharing	RFP
COMM. 5E-13	COUNTY EXECUTIVE	Erie County/ Niagara County Shared Municipal Services Incentive Grant	
COMM. 5E-14	COUNTY EXECUTIVE	Authorization to Impose Wireless Communications Service Surcharge; Home Rule Request Resolutions	
COMM. 5E-15	COUNTY EXECUTIVE	Probation & Youth Detention Services - Delete a Probation Supervisor Position & Recreate the Principal Probation Officer Position	Public Safety
COMM. 5E-16	COUNTY EXECUTIVE	Mental Health - Local Re-Entry Task Force Initiative	Health
COMM. 5E-17	COUNTY EXECUTIVE	Appointment to ECSD No. 5 Board of Managers	
COMM. 5E-18	COUNTY EXECUTIVE	Appointment to Erie County Council on the Disabled	

COMM. 5E-19	COUNTY EXECUTIVE	Senior Services - Authorization to Amend the SPAP Grant Budget	Human Services
COMM. 5E-20	COUNTY EXECUTIVE	ECSD No. 1 - Real-time, Web-based Wireless Flow Monitoring & Online Flow Model	Energy & Environment
COMM. 5E-21	COUNTY EXECUTIVE	ECSD No. 6 - Real-time, Web-based Wireless Flow Monitoring & Online Flow Model	Energy & Environment
COMM. 5E-22	COUNTY EXECUTIVE	ECSD No. 6/ STSTA - Disinfection Improvements - Contract No. 6ST-D - Change Order No. 1	Energy & Environment
COMM. 5E-23	COUNTY EXECUTIVE	ECSD No. 6/ STSTA - Disinfection Improvements - Contract No. 6ST-A - Change Order No. 5	Energy & Environment
COMM. 5E-24	COUNTY EXECUTIVE	ECSD Nos 1-6 & STSTA - Construction Inspection Services - A/E Agreement Dated 6/16/01 - Close-Out	Energy & Environment
COMM. 5E-25	COUNTY EXECUTIVE	STSTA - Request of NYS Easement	Energy & Environment
COMM. 5E-26	COUNTY EXECUTIVE	CPS - Professional Services - EM Systems, Inc.	Public Safety
COMM. 5E-27	COUNTY EXECUTIVE	Supplemental Agreement with NYSDOT - Wehrle Drive, CR 290 - Youngs Road (CR 554) to NY Route 78, Transit Road - Town of Amherst	Economic Development
COMM. 5E-28	COUNTY EXECUTIVE	Ralph Wilson Stadium - 2006 - Site Work, Structural Repairs & Miscellaneous Work - Phase 2	Economic Development
COMM. 5E-29	COUNTY EXECUTIVE	Senior Services - Authorization to Enter Into Contract	Human Services
COMM. 5E-30	COUNTY EXECUTIVE	Social Services - Managed Care Grant Budget Transfer	Human Services
COMM. 5E-31	COUNTY EXECUTIVE	Social Services - West Side Delinquency Prevention Program	Human Services
COMM. 5E-32	COUNTY EXECUTIVE	Public Safety/Emergency Services - Proposed Resolution for EC to Accept the EC All-Hazard Mitigation Plan	Public Safety
COMM. 5E-33	COUNTY EXECUTIVE	CPS - Authorization for Networking and Programming Services from Computer Consulting Services (CCS) or WNY	Public Safety
COMM. 5E-34	COUNTY EXECUTIVE	Opening of Public Safety Campus - Authorization to Award Bids and Enter Into Contracts	Public Safety

COMM. 5E-35	COUNTY EXECUTIVE	Parks, Recreation & Forestry - State Aid For Snowmobile Development, 2005-2006	Energy & Environment
COMM. 5E-36	COUNTY EXECUTIVE	DEP - Sewerage Management - Proposed Intermunicipal Agreements - Merger of Wastewater Services	Energy & Environment
COMM. 5E-37	KOZUB	Copy of Letter to County Executive Re: Suit Against NYS Thruway Authority	Economic Development
COMM. 5E-38	SMITH	Copy of Letter to Health Commissioner Re: National Black HIV/AIDS Awareness Day	Health
COMM. 5E-39	SMITH	Copy of Letter to DISS Commissioner Re: Bids for Copier Equipment	Finance & Management

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE**

COMM. 5D-1	ECC	Notice for Board of Trustees Meeting Held 3/1/06	R&F
COMM. 5D-2	BUDGET, MANAGEMENT & FINANCE	BMR for Period Ending 1/31/06	Finance & Management
COMM. 5D-3	DIRECTOR, MANAGEMENT INITIATIVES	Slides from ECFSA Meeting Held 1/23/06	Finance & Management
COMM. 5D-4	ECC	Agenda For 3/1/06 Board of Trustees Meeting	R&F

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE**

COMM. 5M-1	TOWN OF LANCASTER	Certified Resolution Re: Property Tax Partial Payment	R&F
COMM. 5M-2	BOARD OF HEALTH	Notice of Board of Health Meeting to be Held 3/9/06	R&F
COMM. 5M-3	NFTA	17A Report & the Capital Expenditure Reports for 3rd Quarter of FY Ending 3/31/06	R&F
COMM. 5M-4	EC BAR ASSN. - AID TO INDIGENT PRISONERS SOCIETY INC. - ASSIGNED COUNCEL PROGRAM	Quarterly Report for the 4th Quarter of 2005	R&F
COMM. 5M-5	CITY OF BUFFALO COMMON COUNCIL	Certified Resolution Re: NYPA Settlement Authorization	R&F
COMM. 5M-6	WNY TEAMSTERS JOINT COUNCIL NO. 46	Letter to Marinelli Re: Apprenticeship Training Local Law	R&F

COMM. 5M-7	EC ENVIRONMENTAL MANAGEMENT COUNCIL	Notice & Agenda for Meeting Held 2/21/06	R&F
COMM. 5M-8	TOWN OF NEWSTEAD	Certified Resolution Re: Property Tax Partial Payment	R&F
COMM. 5M-9	SENATOR CLINTON	City of Buffalo Waterfront	R&F
COMM. 5M-10	CITY OF BUFFALO MAYOR	Appointment to Erie County Task Force on Revenue Sharing & Regional Cost Sharing	RFP
COMM. 5M-11	ECFSA	Budget Report for 2006	Government Affairs
COMM. 5M-12	NYS ASSEMBLY	Notice of Public Hearing Re: Thruway Tolls in WNY	R&F
COMM. 5M-13	NYPA	Copy of Letter to Congressman Higgins Re: Allocation of 37 Megawatts to the Buffalo-Niagara Region	Economic Development
COMM. 5M-14	COUNCILMAN DAVIS	Johnnie B. Wiley Sports Pavilion	Government Affairs

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**